



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *MND, MNSD, FF*

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for a monetary order for the cost of cleaning, repairs and for the recovery of the filing fee. The landlord also applied to retain the security deposit in partial satisfaction of her claim.

The landlord sent a copy of her application and the notice of hearing to the tenant by registered mail on July 26, 2013, to the forwarding address provided by the tenant and filed a tracking number. Despite having been served the notice of hearing, the tenant did not attend the hearing. The landlord attended the hearing and was given full opportunity to present evidence and make submissions.

Issues to be decided

Is the landlord entitled to a monetary order for the cost of cleaning, repairs and for the recovery of the filing fee? Is the landlord entitled to retain the security deposit?

Background and Evidence

The tenancy started on October 01, 2012. The monthly rent was \$1,850.00 due on the first of each month. Prior to moving in the tenant paid a security deposit of \$925.00. After the tenancy ended, the parties communicated by email. The tenant agreed to pay for the repairs of the window and for the cleaning of the carpet. However, the tenant disputed the cost of painting, but in a later note dated July 16, 2013 agreed to cover half the cost of painting. The landlord is claiming the following:

1.	Clean carpets	\$100.00
2.	Labour to paint and repair walls and door	\$400.00
3.	Repair window	\$373.80
4.	Paint	\$86.45
5.	Filing fee	\$50.00
	Total	\$1,010.25

The landlord stated that the rental unit was fully renovated just prior to the start of tenancy and filed photographs showing some damage to the walls and a door.

Analysis

Based on the undisputed testimony of the landlord and the evidence filed by the landlord, I find that the landlord is entitled to her claim for the above items. Since the landlord has proven her case, she is also entitled to the recovery of the filing fee of \$50.00.

Overall the landlord has established a claim of \$1,010.25. I order that the landlord retain the security deposit of \$925.00 in partial satisfaction of the claim and I grant the landlord an order under section 67 of the *Residential Tenancy Act* for the balance due of \$85.25. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the landlord a monetary order for the amount of **\$85.25**.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: October 17, 2013

Residential Tenancy Branch

